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| Tenancy management manualReferences and revision historyNovember 2017 |

# Revision history

Department of Health

| Version | Amended section | Effective | Details |
| --- | --- | --- | --- |
| 1.0 |  | November 2017 | Incorporation of version control tableAccessible format |

More information

To find out about housing options visit the [Housing website](http://www.housing.vic.gov.au) <http://www.housing.vic.gov.au> or contact your local [Housing Office](http://www.housing.vic.gov.au/contact-a-housing-office) <http://www.housing.vic.gov.au/contact-a-housing-office>.

To receive this publication in an accessible format contact Housing Practice and Complex Support <housing.practicesupport@dhhs.vic.gov.au>.

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Available on the [Tenancy management manual page](https://providers.dhhs.vic.gov.au/tenancy-management-manual-references-and-revision-history-word) on Services Providers website <https://providers.dhhs.vic.gov.au/tenancy-management-manual-references-and-revision-history-word>.

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# References

| Symbol | Reference |
| --- | --- |
| APA | Administration and Probate Act (1958) |
| AHB | Aboriginal Housing Board |
| AHBV | Aboriginal Housing Board of Victoria |
| AHO | Aboriginal Housing Officer |
| AHSO | Aboriginal Housing Services Officer |
| AHV | Aboriginal Housing Victoria |
| ASB | Anti-social Behaviour  |
| COMAC | Community Management Accommodation |
| Cth | Commonwealth |
| DFNAA | Domestic (Feral and Nuisance) Animals Act 1994 |
| The Director | Director of Housing |
| The Department | Department of Human Services |
| DPCS | Drug, Poisons and Controlled Substances Act 1981 |
| EA | Evidence Act 1958 |
| EO | Executive Officer |
| EST | Establish Successful Tenancies |
| FSO | Field Services Officer |
| FVPA | Family Violence Protection Act 2008 |
| GAA | Guardianship and Administration Act 1986 |
| HA | Housing Act 1983 |
| HiiP | Housing Integrated Information Program |
| HM | Housing Manager |
| HSM | Housing Services Manager |
| HSO | Housing Services Officer |
| IA | Instruments Act 1958 |
| IART | Intervention when tenancies are at risk |
| ID | Identification |
| IPA | Information Privacy Act 2000 |
| LMO | Lease Management Officer |
| LPR | Legal Personal Representative |
| LSB | Legal Services Branch |
| MCAT | Maintenance Claims Against Tenant |
| NOK | Next of Kin |
| NTV | Notice to Vacate |
| OP | Order for Possession |
| OCA | Owners Corporation Act 2006 |
| OCR | Owners Corporation Regulations 2007 |
| RARS | Revenue and Accounts Receivable Section, Finance and Business Services Branch |
| RDS | Rent Deduction Scheme |
| RGS | Rental General Stock |
| RSPCA | Royal Society for the Protection of Cruelty to Animals |
| RTA | Residential Tenancies Act 1997 |
| SEPA | Service and Execution of Process Act 1992 |
| SHASP | Social Housing Advocacy and Support Program |
| STA | State Trustees (State Owned Company) Act 1994 |
| SA | Subdivision Act 1988 |
| SAAP | Supported Accommodation Assistance Program |
| SEPA | Service and Execution of Process Act 1992 |
| TA | Tobacco Act 1987 |
| TM | Team Manager |
| TR | Tenant Responsibility (charge) |
| THM | Transitional Housing Manager |
| **UMA** | Unclaimed Moneys Act 1962 |
| VCAT | Victorian Civil and Administrative Tribunal |
| VACTA | Victorian Civil and Administrative Tribunal Act 1998 |
| VICSERV | Psychiatric Disability Service of Victoria |
| YAL | Youth Allowance |
| WIA | Water Industry Act 1994 |

# Key Responsibilities

| Role/Title | Responsibility |
| --- | --- |
| Aboriginal Housing Victoria (AHV) | A state wide Aboriginal and Torres Strait Islander community organisation that manages the Victorian Aboriginal Rental Housing Program. It is currently funded by the Department. AHV has its own constitution, policy and procedures and is associated as a company |
| Appeals Office | Considers Appeals lodged by clients who are dissatisfied with decisions made in relation to a housing service |
| Asset Manager | Manages housing with an integrated strategy recognising the life cycle relationships to maintain and improve the quality and viability of the property |
| Client Services Unit (CSU) | * provides operational support to Housing Services
* writes operational material, i.e. Application forms, Information Sheets and Handbooks
 |
| COMAC (Community Managed Accommodation) | Provides a maintenance and/or upgrading service to newly acquired (and existing) community managed Departmental properties |
| Consumer Affairs Victoria | Exercises delegated authority in determining whether goods and items left in abandoned Departmental properties are of significant value. Provides reports relating to maintenance issues for VCAT |
| Corporate Communications, Media Unit | Liaises with members of the media when issues of public interest arise or are promoted/advertised |
| Director | The landlord for all public housing tenancies. The decision maker for the issuing of notices to vacate under s 263 of the *Residential Tenancies Act 1997*. |
| Field Services Officer (FSO)  | Inspects properties on behalf of the Department and makes recommendations based on their condition (e.g.: suitability for major modifications) |
| Finance and Business Services Branch | * provides corporate support and expert advice in relation to tenancy account reconciliation including vacated accounts
* manages the reimbursements of bond loan accounts.
 |
| Good Practice Unit | * develops detailed procedures that reflect policy intent
* writes policy and procedure manuals/guidelines
* co-ordinates state-wide policy and procedure changes
* provides policy and procedure advice
 |
| Housing Appeals, Complaints Management and Home Finance Review Office | Considers appeals and complaints lodged by clients who are dissatisfied with decisions made in relation to a housing service. |
| Housing Executive | Approves Policy |
| Housing Manager (HM) | Exercises delegated authority in accordance with this manual and as outlined in the Department Delegations document |
| Housing Services Manager (HSM) | Exercises delegated authority in accordance with this manual and as outlined in the Department Delegations document |
| Housing Services Officer (HSO) | Applies policy and procedures as outlined in this manual in accordance with their delegated authority |
| Housing Training and Development Unit (HTDU) | Provides ‘Housing’ and ‘Maintenance’ specific training to Departmental staff in accordance with the policy and procedures outlined in this chapter. |
| Housing Call Centre (HCC) | The Department’s Call Centre responsible for responding to and managing calls for responsive maintenance. |
| Insolvency and Trustee Service Australia (ITSA) | The government agency responsible for the administration and regulation of the personal insolvency system in Australia. |
| Lease Management Team (LMO) | Manages the contractual relationship including payments, lease renewal/extension, and disputes between the Department and private landlord or agent for leased properties |
| Legal Services Branch (LSB) | Provides legal advice, and assistance in preparation for VCAT hearings together with a limited advocacy service on behalf of Housing Offices |
| Movable Unit Branch | Organises for the removal, demolition and placement of sleep outs. |
| Operational Support (OS) | * provides operational support and assistance to Housing Offices by completion of ‘self-employed’ rebate assessments
* coordinates state-wide annual rent reviews.
 |
| Payment Systems and Rebates Team | * provides operational support and assistance to Housing Offices by completion of ‘self-employed’ tenant(s) rebate assessments
* coordinates state-wide annual rent reviews
 |
| Policy Review and Development | Develops policy for Executive Approval |
| Property Branch | The arm within Property Services and Asset Management which manages the purchase and delivery of property related services on behalf of the Department |
| Public Affairs Branch | Liaises with members of the media when issues of public interest arise or are prompted/advertised |
| Rebate and Payments Team | * provides operational support and assistance to Housing Offices by completion of ‘self-employed’ rebate assessments
* coordinates state-wide annual rent reviews
 |
| Regional Project Officer | Assists Housing Managers in a support role to achieve best practice and operational effectiveness as outlined in this manual in accordance with their delegated authority. |
| Revenue and Accounts Receivable Section, Finance and Business Services Branch (RARS) | Organises for the $3.00 charge to be placed on and removed from tenancy accounts. |
| Sector Development, Housing and Homelessness  | Oversees the provision of a range of short, medium and long term accommodation options managed by community agencies and linked to appropriate client support where required |
| Social Housing Service Delivery  | Provides information, material and operational support to OOH staff in relation to service development and delivery, planning and budgets |
| Standby Officer | Departmental employees rostered on a 24-hour basis to respond to after-hours emergencies |
| Strategy and Corporate Finance | Develops policy for Housing Executive Approval |
| Team Manager (TM) | Applies policy and procedures as outlined in this manual in accordance with their delegated authority |
| Public Housing and Community Building | Provides information, material and operational support to Departmental staff in relation to service development and delivery, planning and budgets |
| Transitional Housing Manager (THM) | Provides assistance and an integrated approach to resolving housing and support needs of households in crisis |
| Victorian Civil and Administrative Tribunal (VCAT) Chairperson | Considers, reviews and makes determinations on applications made to the tribunal within the boundaries of the RTA 1997 and the Housing Act. |

# Chapter 1 Arrears

The following table shows the development of this chapter.

| Version | Amend. / Section Number | Pages From | Effective | Details |
| --- | --- | --- | --- | --- |
| 1.0 |  |  | Oct 1997 | First issue of the manual |
| 1.1 |  |  | Apr 1998 | Updated |
| 1.2 |  |  | Mar 1999 | Updated to reflect changes in legislation |
| 1.3 |  | 1-30 | Sep 1999 | Update to section 1.5.21 Rental Rebates |
| 1.4 |  | 1-241-25 | Oct 2000 | Update to section 1.5.12 Warrant of Possession ApplicationUpdate to section 1.5.13 Issue of Warrant of Possession |
| 1.5 |  | 1-17 | Feb 2002 | Update to section 1.5.5 Local Agreement |
| 1.6 |  | All | Mar 2003 | Update to Local Agreement, Legal Agreement and Order for Possession policy and procedures in accordance with new Rent Deduction Scheme requirements |
| 1.7 |  | 1-231-35-37 | Jul 2003 | Update to fax numbers for Warrants of Possession |
|  |  | 1-19 |  | RTA 1997 amendment to procedure - if the OoH fails to withdraw a VCAT application where the rental arrears have been paid in full, VCAT will dismiss the application. |
| 1.8 |  | 1-16 | Jul 2003 | Inclusion of reference to Home Visit Guidelines |
| 2.0 |  | All | Nov 2003 | Correction to maximum agreement amount to, 30 per cent of assessable income.Updated information regarding rent increase from 17 August 2003. |
| 2.1 |  | 1-31-51-6 | August 2004 | Amendment from Rent Deduction Service to Rent Deduction Scheme. |
| 2.2 |  | 1-351-361-37 | Nov 2004 | Update to fax numbers for 48 Hour Briefing Note and Warrant Application Outcome Documents. |
| 2.3 |  |  | Dec 2005 | Updated to reflect DHHS Standards. Updated to reflect new team names. |
| 2.4 |  | All1-26  | Aug 2006 | Changed address details for Head Office business units.Included reference to ‘form of authority’ for Aboriginal tenants in RGS stock. |
| 2.5 |  | 1-111-261-40 | Mar 2007 | Removed references to contact with the Aboriginal Housing Unit, when an Aboriginal tenant in RGS stock falls in to arrears.Deleted appendix 1.6.10 Memorandum to Aboriginal HSO.Changed Aboriginal Housing Board of Victoria (AHBV) to Aboriginal Housing Victoria (AHV).Changed Aboriginal Housing Services Officer (AHSO) to Aboriginal Housing Officer (AHO). |
| 3.0 | 1.5.26 | Throughout1-25 | Jun 2011 | Incorporated information regarding support for Department Tenants.Changed the term OOH to Department.Updated to reflect changes to HiiP.Incorporated provisions in the Human Rights Charter in policy, procedures and forms.Updated web links to Intranet and Internet sites.\Removed reference to Aboriginal Housing VictoriaUpdated Movable Unit arrears action references. |
| 4.0 |  | Throughout1-451-46 | Sep 2011 | Reviewed entire chapter for compliance with requirements of the Victorian Charter of Human Rights and Responsibilities Act 2006Clarified procedure for recovery of moveable units due to breach of hiring agreement for non-payment of rentInserted procedure for pursuing debts in VCAT exceeding $10,000 |

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |
| July 2012 |  | All | Chapter moved from Debt Management manualUpdates to Tenancy Manual as per new style guidesNew numbering to Chapters |
| Dec 2012 |  | AllAll | Updated support references throughoutMinor corrections to wording through-out |
| July 2017 |  | Throughout1-131-251-56 | Align terminology to current i.e. DHHS to DHHSInsertion of text message process to Initial Arrears LetterRemoval of text “Refer to 1.3.12”Deletion of section 1.3.12 Rental arrears procedures flow chart  |

# Chapter 2 Direct Debit

The following table shows the development of this chapter.

| Version | Amend. / Section Number | Pages From | Effective | Details |
| --- | --- | --- | --- | --- |
| 1.0 |  |  | Jun 2001 | * First issue of this chapter.
 |
| 1.1 |  | All | Mar 2003 | * Update to chapter to include new Rent Deduction Service Requirements.
 |
| 1.2 |  | All | Jul 2005 | * Reissue of chapter to comply with DHHS publishing guidelines.
* Team Leaders changed to Team Managers.
 |
| 1.3 |  | 12-4 | Dec 2006 | * Definition of tenant clarified to show distinction between tenant who has a tenancy agreement with the Director of Housing and a tenant in community managed housing.
* Definition of tenant in community managed housing added.
 |
| 2.1 |  | All | Mar 2007 | * Updated Rental Accounts Branch to Revenue and Accounts Receivable Section, Finance and Business Services Branch.
* Added hyperlinks to other OOH policy manuals.

Note: This version number 2.1 created in error. |
| 3.0 |  | All | Oct 2008 | * Updated to reflect compliance with the Human Rights Charter.
 |
| 3.1 |  | 12-412-16 |  | * Updated definitions and procedures to reflect rent reviews under the fixed rent policy.
 |

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |
| July 2012 |  | All | Updates to Tenancy Manual as per new style guidesNew numbering to Chapters |

# Chapter 3 Represented Tenants and Applicants

The following table shows the development of this chapter.

| Version | Amend. / Section Number | Pages From | Effective | Details |
| --- | --- | --- | --- | --- |
| 1.0 |  |  | Jun 2001 | * First issue of the chapter
 |
| 2.0 |  |  | Jul 2005 | * Reissue of the chapter to comply with DHHS publishing guidelines
 |
| 2.1 |  | 11-611-8All | Mar 2007 | * Definition of tenant clarified to show distinction between tenant who has a tenancy agreement with the Director of Housing and a tenant in community managed housing
* Definition of tenant in community managed housing added
* Updated Policy and Standards Branch to Policy Strategy and Communications Branch.
* Added hyperlinks to other OOH Policy manuals
 |
| 3.0 |  | All | Oct 2008 | * Updated the entire chapter to include consideration for the Charter of Human Right.
 |
| 4.0 |  | All | Nov 2011 | Further update to the entire chapter to include:* Review of policies and procedures for compliance with requirements of the *Victorian Charter of Human Rights and Responsibilities Act 2006*
 |

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |
| July 2012 |  |  | * Updates to Tenancy Manual as per new style guides
* New numbering to Chapters
 |

# Chapter 4 Leased Properties

The following table shows the development of this chapter.

| Version | Amend. / Section Number | Pages From | Effective | Details |
| --- | --- | --- | --- | --- |
| 1.0 |  | All | May 2002 | First issue of chapter. |
| 1.1 |  | 19-8 to 19-34 | Jul 2002 | Remove Target Setting Process for 2001/02.Clarification of COMAC and Housing Office roles for pre-tenancy maintenance.Insert new policy paragraph covering Disability Modifications. |
| 1.2 |  | 19-9 to 19-35 | Nov 2002 | Insert new procedural paragraph covering actioning after hours maintenance works orders for leased properties.Insert new procedural paragraph covering advice to the LMO when RAM applied to property with less than 6 months remaining on lease.Insert new policy and procedural paragraphs covering payment of water usage at vacant properties.Insert new policy paragraph covering pets in leased properties. |
| 1.3 |  | All19-719-1519-16 | Jul 2003 | Update the 90 day Notice to Vacate to 120 day Notice to Vacate in line with RTA Amendments 2000.Update the time from 120 to 150 days for notification to housing office from LMO in relation to renegotiation of leases.Tenant now has 60 days to make an application to VCAT in relation to tenant issued Notice of Repairs.Landlord/Agent inspection may now be conducted 3 months after the first tenancy commencement date and 6 monthly thereafter.Update Access to Property by Landlord/Agent notices as per RTA Amendments 2002. |
| **2.0** |  | 19-11,19-23,App 19.8.8App 19.8.5App 19.8.6 | May 2004May 2004May 2004 | * All tenants of separately metered properties must now sign a form of authority at sign up to authorise the H andCB to release tenant details to the relevant water authority
* Updated Property Branch contact telephone number
* Updated Lease Management Team address
 |
| 3.0 |  | All2 | Jul 2005Jul 2005 | * Third issue of the chapter to comply with DHHS publishing guidelines. Font type converted from Helvetica/ Arial to Verdana
* Definition of ‘resident’ clarified to include requirement that residents must be included in the rental rebate application and their income and assets assessed in the rental rebate calculation
 |
| 3.1 |  | 5Through-out | Mar 2007 | * Definition of tenant clarified to show distinction between tenant who has a tenancy agreement with the Director of Housing and a tenant in community managed housing
* Definition of tenant in community managed housing added
* Updated Head Office business units and contact details
* Added hyperlinks to other H andCB policy and procedure manuals
 |
| 4.0 |  | All | Oct 2008 | * Updated the entire chapter to include consideration for the Charter of Human Rights Legislation.
 |
| 4.1 |  |  | Sep 2009 | * Updated appendix 19.8.8 to new DHHS letterhead
 |
| 4.2 |  | Through-out | May 2010 | * Updated references to Lease Management Officer role
* Updated references to period of notice to local offices of pending lease cessation
 |
| 4.3 |  | Through-out | Nov 2010 | * Inclusion of policy intent and briefing note
 |

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |
| July 2012 |  | All | * Updates to Tenancy Manual as per new style guides
* New numbering to Chapters
 |

# Chapter 5 Owners Corporation Properties

The following table shows the development of this chapter.

| Version | Amend. / Section Number | Pages From | Effective | Details |
| --- | --- | --- | --- | --- |
| 1.0 |  |  | Mar 1999 | * First issue of the chapter
 |
| 2.0 |  |  | May 2002 | * Update chapter in line with new Subdivision (Body Corporate) Regulations 2001
 |
| 3.0 |  | All | Jul 2005 | * Updated to reflect DHHS publishing standards
 |
| 3.1 |  | All  | Mar 2007 | * Updated Legislation and Legal Services Branch to Legal Service Branch.
* Added hyperlinks to other OOH policy manuals.
 |
| 4.0 |  | All | Oct 2008 | * Update chapter in line with new *Owners Corporation Act 2006* and *Owners Corporation Regulations 2007*
 |

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |

# Chapter 6 Car Parking

The following table shows the development of this chapter.

| Version | Amend. / Section Number | Pages From | Effective | Details |
| --- | --- | --- | --- | --- |
| 1.0 |  |  | Jun 2001 | * First issue of the chapter
 |
| 2.0 |  | All | Jul 2005 | * Second issue of the chapter to comply with DHHS publishing guidelines. Font type converted from Helvetica / Arial to Verdana
 |
| 2.0 |  | 17-2 | Jul 2005 | * Definition of ‘resident’ clarified to include requirement that residents must be included in the rental rebate application and their income and assets assessed in the rental rebate calculation
 |
| 2.1 |  | 17-3All | Mar 2007 | * Definition of tenant clarified to show distinction between tenant who has a tenancy agreement with the Director of Housing and a tenant in community managed housing.
* Definition of tenant in community managed housing added.
* Added hyperlinks to other Department policy and procedure manuals.
 |
| 3.0 |  | All | Oct 2008 | * Updated the entire chapter to include consideration for the Charter of Human Rights Legislation.
* Updates to incorporate changes following the introduction of the Infringements Act 2006. For example “offence” changed to “infringement” and payment plan may be requested.
 |
| 3.1 |  |  | Nov 2010 | * Inserted policy for expiry dates on parking permits to maintain up to date records on eligibility and to address the issue of subletting of car parks.
 |
| 3.2 | 6.6.9 | 17-31 | Mar 2011 | * Note inserted to advise that enforcement agencies must report to the Attorney General every 6 months according to the *Infringements Act 2006*
 |
| 3.3 |  | All | Jul 2011 | * Updates to Tenancy Manual as per new style guides
* New numbering to Chapters
 |

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |

# Chapter 7 Tenants working from home

The following table shows the development of this chapter.

| Version | Amend. / Section Number | Pages From | Effective | Details |
| --- | --- | --- | --- | --- |
| 1.0 |  |  | Apr 2007 | * First issue of the Chapter
 |
| 2.0 | 20.1.6 | 10All | May 2008Oct 2008 | * Change to when a rebate is assessed in accordance with fixed rent policy change
* Updated the entire chapter to include consideration for the Charter of Human Rights Legislation
 |
| 2.1 |  |  |  | * Updated appendix 20.8.1 to new DHHS letterhead
 |

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |
| July 2012 |  | All | * Updates to Tenancy Manual as per new style guides
* New numbering to Chapters
 |

# Chapter 8 Temporary Absence

The following table shows the development of this chapter.

| Version | Amend. / Section Number | Pages From | Effective | Details |
| --- | --- | --- | --- | --- |
| 1.0 | 1 | All | Dec 2004 | * First issue of the chapter
 |
| 2.0 | 12 | All3 | Jul 2005 | * Second issue of the chapter to comply with DHHS publishing guidelines. Font type converted from Helvetica/Arial to Verdana.
* Definition of ‘resident’ clarified to include requirement that residents must be included in the rental rebate application and their income and assets assessed in the rental rebate calculation.
 |
| 2.1 |  | 4All | Jun 2006Apr 2007 | * Clarification that rent is not charged for a person who moves in to care for the dependants of a temporarily absent sole tenant due to special circumstances - where the ‘carer’ can prove that they have accommodation elsewhere.
* Clarification that consent is withheld and steps to regain possession of a property, where evidence shows that a sole tenant or entire household will be absent for longer than six months.
* Definition of tenant clarified to show distinction between tenant who has a tenancy agreement with the Director of Housing and a tenant in community managed housing.
* Clarified policy and procedures in relation to six-month allowable absence.
* Created internet links.
 |
| 3.0 |  | All20 | October 2008 | * Updated the entire chapter to include consideration for the Charter of Human Rights Legislation.
* Clarification that consultation with Legal Services prior to the issuing of the notice is for the wording of the notice.
* Section added to clarify policy where sole tenant absent for a part week.
 |
| 3.1 | 7.8.67.8.8All | 17 and 18All | Jun 2011 | * Section added to note that tenants who are absent for 6 weeks or less do not require HSM approval
* Note added that air ticket or itinerary only required for tenants who are travelling overseas for a period longer than six weeks.

Updated the entire chapter to include:* review of policies and procedures for compliance with requirements of the *Victorian Charter of Human Rights and Responsibilities Act 2006*.
 |

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |
| July 2012 |  | All | Updates to Tenancy Manual as per new style guidesNew numbering to Chapters |
| October 2012 | 8 | 8.3.10 | Clarification about issuing a Notice to Vacate when a temporarily absent tenant is expected to return before the expiration of the Notice  |
|  |  | 8.4.10 | As above |

# Chapter 9 Tenancy Breaches

The following table shows the development of this chapter.

| Version | Amend. / Section Number | Pages From | Effective | Details |
| --- | --- | --- | --- | --- |
| 1.0 | 1 |  | Nov 1999 | * First issue of the manual
 |
| 1.1 | 22.4.12.4.12 | 2-27 | Oct 2000 | * Update to Seeking an OP and obtaining a Warrant of Possession to reflect changes from VCAT in the way warrants can be issued
 |
| 1.2 | 32.4.2 | 2-122-13 | Jul 2003 | * Inclusion of reference to Home Visit Guidelines
 |
| 2.0 | 4 | All | Nov 2003 | * Second issue of the chapter, renamed “Tenancy Breaches and Dispute Resolution”. Changes include enlarged and updated sections on nuisance behaviour, dangerous behaviour, valid service of notices, briefing witnesses for attendance at VCAT, and tenants with support needs
 |
| 2.1 | 52.4.82.4.132.4.202.4.222.5.2 | 2-192-272-282-332-342-352-39 | Nov 2004 | * Inclusions of note regarding advice to complainants in neighbourhood disputes of the remedy period following Ombudsman’s investigation
* Update to the delegation of approval to purchase Warrants in anti-social applications for sign-off by Housing, Primary and complex Care Manager or Regional Executive Officer equivalent
 |
| 2.2 | 6 | All | Jul 2005 | * Updated whole chapter to reflect H andCB standards
 |
| 2.3 | 72.6.32.5.142.6.142.6.32.4.72.5.25 | 2-502-372-632-502-162-44All | Mar 2007 | * Updated contact details of external parties
* Updated Summons to Appear and Affidavit of Services
* Updated contact details of VICSERV
* Changed Aboriginal Housing Board of Victoria (AHBV) to Aboriginal Housing Victoria (AHV)
* Changed Aboriginal Housing Services Officer (AHSO) to Aboriginal Housing Officer (AHO)
* Added hyperlinks to other Department policy manuals
 |
| 2.4 |  |  |  | * New section added regarding smoking in and around H andCB properties and housing estates
 |
| 3.0 |  | All | Oct 2008 | * Updated the entire chapter to include consideration for the charter of Human Rights Legislation
 |
| 3.1 |  |  |  | * Updated appendix 2.4.7 to new The Department letterhead
 |
| 3.2 | 2.2 | 2.112.12 |  | * Changed order of paragraphs on smoking in enclosed areas to improve clarity
 |

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |
| July 2012 |  | All | * Updates to Tenancy Manual as per new style guides
* New numbering to Chapters
 |

# Chapter 10 Illegal Activity

The following table shows the development of this chapter.

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |
| October 2012 |  | All | * New Chapter
* Updates to Tenancy Manual as per new style guides
* New numbering to Chapters
 |

# Chapter 11 Abandoned Properties and Goods

The following table shows the development of this chapter.

| Version | Amend. / Section Number | Pages From | Effective | Details |
| --- | --- | --- | --- | --- |
| 1.0 |  |  | Mar 1997 | * First issue of the manual
 |
| 1.1 |  | 3-133-153-163-20 | Oct 2000 | * Clarification of requirements when placing abandoned goods, personal documents and vehicles’ notices in the newspaper
 |
| 1.2 |  | 3-19 | Dec 2001 | * Changes to procedures where a Certificate of Ownership request is made to VicRoads.
 |
| 1.3 | 3.5.43.4.23.5.23.6.3 (App)3.5.13.5.3 | 3-193-6 and3-13/14 3-243—113-16 | Jul 2003 | * VicRoads Certificate of Ownership request must be signed by the Departmental Parking Officer at Richmond Housing Office
* Personal documents found in abandoned properties must be stored for 90 days (previously 28 days) before disposal. The Department is no longer required to advertise intended disposal in newspaper. After 90 days, documents must be shredded or placed in secure disposal bin.
* The application for an Order of Compensation must be made within 10 days after finding a property abandoned. (Previous time limit not stated)
* VCAT must hear an application for an Order of Abandonment within five days of the application being made (previously two days)
* The Department may apply to VCAT for compensation if the sale of abandoned goods does not cover storage and auction costs.
 |
| 2.0 | All3.5.13.5.4 | All3-123-20 | May 2005 | * Second issue of the manual to comply with DHHS publishing guidelines. All fonts have been converted to Verdana.
* Amended incorrect RTA reference–orders for compensation should be made pursuant to s210, not s414.
* Only the Departmental Parking Officer (or deputy) at Richmond Housing Office can make a VicRoads Certificate of Ownership request.
 |
| 2.1 | All3.6.13.6.4All | All3-213-24All | Mar 2007 | * Updated Office of Fair Trading to Consumer Affairs Victoria (CAV).
* Updated contacts and business hours in 24 hour Notice to Enter Rented Premises form.
* Updated Consumer Affairs Victoria Request for Inspection of Goods Left Behind form.
* Added hyperlinks to other OOH policy manuals.
 |
| 3.0 | All | All | Oct 2008 | * Updated the entire chapter to include consideration for the Charter of Human Rights Legislation.
* Updated internet links.
 |
| 3.1 | All | All | Apr 2012 | * Reviewed entire chapter for compliance with requirements of the *Charter of Human Rights and Responsibilities Act 2006*
 |

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |
| Dec 2012 |  | AllAll | * Updates to chapter as per new style guide
* Minor corrections to wording through-out
 |

# Chapter 12 Occupants Unknown to the Department, Residents and Squatters

The following table shows the development of this chapter.

| Version | Amend. / Section Number | Pages From | Effective | Details |
| --- | --- | --- | --- | --- |
| 1.0 |  |  | Feb 1996 | * First issue of the manual
 |
| 1.1 |  |  | Mar 1999 | * Updated to reflect changes to legislation
 |
| 1.2 |  |  | Oct 1999 | * Updated to reflect that letter to Australia Post is no longer sent as part of illegal occupants procedure
 |
| 1.3 |  | 13 | Oct 2000 | * Update to section 6.5.2 Legal Action to Remove Illegal Occupants to reflect changes from VCAT in the way warrants can be issued
 |
| 1.4 |  | 10, 11 | Dec 2004 | * Updates to the procedure for making application under s344 through VCAT On-line.
 |
| 2.0 |  |  | Jul 1995 | * Reissue of the chapter to comply with DHHS publishing guidelines.
 |
| 2.1 | 6.5.1 | 24AllAll | Mar 2007 | * Updated contacts and business hours to 24 hour Notice to Enter Rented Premises form.
* Update of business unit names and contact details.
* Hyperlinks to other manuals.
 |
| 3.0 |  | All | Oct 2008 | * Updated the entire chapter to include consideration for the Charter of Human Rights Legislation.
 |
| 3.1 |  |  |  | * Updated appendix 6.5.1 to new DHHS letterhead.
 |

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |
| July 2012 |  | All | * New Chapter Name
* Updates to Tenancy Manual as per new style guides
* New numbering to Chapters
 |

# Chapter 13 Access to Director Owned and Managed Properties

The following table shows the development of this chapter.

| Version | Amend. / Section Number | Pages From | Effective | Details |
| --- | --- | --- | --- | --- |
| 1.0 |  |  | Dec 2001 | * First issue of the chapter
 |
| 1.1 |  | 18-9 | Jul 2003 | * It is now considered an offence for a landlord to enter a property without a reasonable excuse as per RTA Amendment 2000.
 |
| 1.2 |  | 18-2018-3318-408-41 | Nov 2004 | * Victoria Police must provide a valid Search Warrant before requesting master keys (where available) to enter a Director owned or managed property.
 |
| 1.3 |  | All | Jul 2005 | * Re-issue of the chapter to comply with DHHS publishing guidelines. Font type converted from Helvetica/Arial to Verdana.
 |
| 1.4 |  | 18-518-2118-3318-4018-1718-2018-34Through-out | Mar 2007 | * Definition of tenant clarified to show distinction between tenant who has a tenancy agreement with the Director of Housing and a tenant in community managed housing.
* Definition of tenant in community managed housing added.
* Access for Field Services Officer (FSO) to undertake Property Condition Audits (PCA) or Housing Services Officer (HSO) to undertake a general inspection.
* Updated Housing office business hours in 24 Hour Notice to Enter Rented Premises pro-forma.
* Gaining access for Urgent Works.
* Clarification in relation to access to properties by Victoria Police executing ‘search’ or other warrant.
* Added hyperlinks to other Department policy and procedure manuals.
 |
| 2.0 |  | All | Oct 2008 | * Updated the entire chapter to include consideration for the Charter of Human Rights Legislation.
 |
| 2.1 |  |  |  | * Updated appendices to new DHHS letterhead
* Updated Maintenance Call Centre to Housing Call Centre
 |
| 2.2 |  | 2443-45 | Nov 2010 | * Included information on access to letter boxes in high-rise estates for distribution of unsolicited information
 |
| 2.3 |  |  | Mar 2012 | * Review of Tenancy Management Manual including for Charter of Human Rights and Responsibilities Act 2006 compliance
 |

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |
| Dec2012 |  | AllAll | * Updates to chapter as per new style guide
* Minor corrections to wording through-out
 |

# Chapter 14 Terminating Tenancies and Deceased Estates

The following table shows the development of this chapter.

| Version | Amend. / Section Number | Pages From | Effective | Details |
| --- | --- | --- | --- | --- |
| 1.0 |  |  | Dec 1999 | First issue of the manual |
| 1.1 | 1 | 5-5 | Jan 2000 | Clarification of tenancy termination date |
| 2.0 |  | All | May 2004 | Second issue of the chapter. Chapter has been completely revised and updated to include amendments to the *Residential Tenancy Act 1997*. Changes include:* separation of Terminating Tenancies policies and procedures from Deceased Estates policies and procedures
* clarification of procedures where one co-tenant from a joint tenancy terminates and offers vacant possession
* ‘return of keys receipt’ added to “Tenant’s General Notice of Termination” (appendix)
* instructions for issuing new NTV pursuant to s.228 (1)(b) to the legal personal representative following the death of a sole tenant
* instructions for making an application to VCAT pursuant to s.228 (2) for an order to terminate a deceased tenancy where no legal personal representative or next of kin have been identified and State Trustees are unwilling to assist.
 |
| 3.0 | Throughout | All | Jul 2005 | * Reissue of the chapter to comply with DHHS publishing guidelines.
 |
| 3.1 | Through out | All | Mar 2007 | * Update of Head Office contact details.
* Hyperlinks to other OOH manuals.
 |
| 4.0 | Through out | All | Oct 2008 | * Updated the entire chapter to include consideration for the Charter of Human Rights Legislation.
 |
| 4.1 |  |  |  | * Updated appendices to include new DHHS letterhead on letters.
 |
| 5.0 |  | All | Mar 2012 | Updated the entire chapter to include: * review of policies and procedures for compliance with requirements of the *Victorian Charter of Human Rights and Responsibilities Act 2006*
* revised procedure for termination of a tenancy where the sole tenant is deceased.
 |

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |
| July 2012 |  | All | * Updates to Tenancy Manual as per new style guides
* New numbering to Chapters
 |

# Chapter 15 Transfer of Tenancy

The following table shows the development of this chapter.

| Version | Amend. / Section Number | Pages From | Effective | Details |
| --- | --- | --- | --- | --- |
| 1.0 |  | All | Aug 2002 | * First issue of the manual
 |
| 1.11.1 | 12 | 912 | Jul 2003 | * Notice to Vacate for No Reason changed from 90 days to 120 days arising from amendments to RTA.
* Clarification of section of RTA (s 232) used when VCAT makes a determination granting tenancy rights to a remaining resident who has not been approved by H andCB for a Single to Single transfer
 |
| 1.2 | 3 | 20 | Jul 2003 | * Inclusion of reference to Home Visit Guidelines.
 |
| 1.31.31.3 | 444 | 11-1217-1826 | Oct 2003 | * Inclusion of a Letter to Tenant for a Joint to Single Transfer
 |
| 2.0 | 551.7.2 | 3119, 10, 11, 12, 1521 | Jul 2005 | * Definition of ‘resident’ clarified to include requirement that residents must be included in the rental rebate application and their income and assets assessed in the rental rebate calculation.
* Definition of ‘resident’ clarified to include requirement that residents must be included in the rental rebate application and their income and assets assessed in the rental rebate calculation.
* Single to single transfer – the resident applying for tenancy rights must demonstrate 12 months continuous residency via inclusion in the rental rebate application and their income and assets assessed in the rental rebate calculation
* Staff must refer to the ‘Terminating Tenancies and Deceased Estates’ chapter where a transfer application occurs as a result of the death of a tenant to ensure appropriate Notification of Death documentation has been provided
* Paragraph rewritten to clarify procedures related to signing vacated arrears repayment agreements.
 |
| 2.1 | 661.26666 | All17AllAllAllAll | Mar 2007 | * Updated Appeals Office to Housing Appeals Housing Complaints Home Finance Review Office.
* Updated Policy and Strategy to Policy, Strategy and Communications.
* Definition of tenant clarified to show distinction between tenant who has a tenancy agreement with the Director of Housing and a tenant in community managed housing.
* Definition of tenant in community managed housing added.
* Update Rental Accounts Branch to Revenue and Accounts Receivable Section, Finance and Business Services Branch
* Update Rental Accounts Branch to Revenue and Accounts Receivable Section, Finance and Business Services Branch.
* Added hyperlinks to other H andCB policy manuals.
 |
| 3.0 | All | All | Oct 2008 | * Updated the entire chapter to include consideration for the Charter of Human Rights Legislation.
 |
| 3.1 | Throughout | Through-out1.7.31.7.41.8.11.8.21.6.11.6.71.7.11.7.57.7.6 | Mar 20091-18 to 1-201-26, 1-271-9, 1-10, 1-16, 1-17, 1-18, 1-19, 1-23, 1-24 | * The rebated rent for a new tenancy is assessed on the total household income at the tenancy commencement date in ISIP.
* New sections numbers to clarify assessments of transfers
* Updated transfer application forms. Now available on the H andCB intranet.
* New sections to clarify transfer of tenancy to protected person under the *Family Violence Protection Act 2008.*
 |
| 3.2 | 1.6.41.6.51.6.61.6.81.7.4 | 1-121-141-151-181-22 | May 2010 | * Updated criteria under Single to Joint, and Joint to Joint tenancy transfers.
* Updated tenancy start date to be consistent with Special Circumstances chapter in Rental Rebate Policy and Procedures Manual
 |
| 4.0 | All |  | Apr 2011 | * New policy version includes revision for consistency with the *Charter of Human Rights and Responsibilities Act* 2006
 |

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |
| July 2012 |  | All | * Updates to Tenancy Manual as per new style guides
* New numbering to Chapters
 |

# Chapter 16 Sleepouts

The following table shows the development of this chapter.

| Version | Amend. / Section Number | Pages From | Effective | Details |
| --- | --- | --- | --- | --- |
| 1.0 |  |  | Feb 2001 | * First issue of this chapter
 |
| 2.0 |  |  | Jul 2005 | * Reissue of the chapter to comply with DHHS publishing guidelines. Font type converted to Verdana.
 |
| 2.1 |  | 8Throughout16-11 | Mar 2007 | * Definition of tenant clarified to show distinction between tenant who has a tenancy agreement with the Director of Housing and a tenant in community managed housing.
* Definition of tenant in community managed housing added.
* Added hyperlinks to other OOH policy and procedure manuals.
* Changed Aboriginal Housing Board of Victoria (AHBV) to Aboriginal Housing Victoria (AHV).
* Changed Aboriginal Housing Services Officer (AHSO) to Aboriginal Housing Officer (AHO).
 |
| 3.0 |  | All | Oct 2008 | * Updated the entire chapter to include consideration for the Charter of Human Rights Legislation.
 |

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |
| July 2012 |  | All | * Updates to Tenancy Manual as per new style guides
* New numbering to Chapters
 |

# Chapter 17 Movable Units

The following table shows the development of this chapter.

| Version | Amend. / Section Number | Pages From | Effective | Details |
| --- | --- | --- | --- | --- |
| 1.0 |  |  | June 2001 | First issue of the manual |
| 1.1 | 9.6.4 | 11 | May 2002 | Update income eligibility limits |
| 1.1 | 9.6.17 | 16 | May 2002 | Clarification of criteria to enable HSM’s to approve waiving of hire fee if an applicant vacates within first twelve months |
| 2.0 |  |  | July 2003 | Second issue of the manual, with some updates to format |
| 2.0 | 9.6.4 | 11 | July 2003 | Updated income eligibility limits |
| 2.0 | 9.6.8 and 9.7.2 | 13 and 18 | July 2003 | Applicants may make simultaneous applications to the Rental General and Movable Unit waiting lists |
| 2.0 | 9.6.17 | 16 | July 2003 | If the Movable Unit applicant is forced to vacate due to the actions of the owner/tenant of the main dwelling, the applicant may be approved for a Stock Management Transfer  |
| 2.1 | 9.6.4 | 11 | Mar 2004 | Updated income eligibility limits |
| 3.0 | All | All | May 2005 | Third issue of the manual to comply with DHHS publishing guidelines. All fonts have been converted to Verdana. |
| 3.0 | 9.6.2 – 9.6.6 | 9-11 | May 2005 | Clarification of eligibility requirements for applicants and applicants. Applicants must meet general wait-turn criteria, while applicants do not, except those who are OOH tenants that have accrued rental arrears in the property where the Movable Unit is to be located. |
| 3.0 | 9.6.4 | 10 | May 2005 | Updated income eligibility limits and clarification of eligibility of applicants aged under 55 years who receive a Disability Support Pension. |
| 3.0 | 9.6.16 | 16 | May 2005 | Addition of section detailing temporary absence policy for tenants. |
| 3.0 | 9.6.19 | 17 | May 2005 | Deceased tenant – staff should follow procedures in Terminating Tenancies and Deceased Estates chapter |
| 3.0 | 9.7.4 | 19 | May 2005 | Applicant rental arrears – staff must seek advice from Legal Services prior to commencing legal action as OOH Debt Management policy and procedures are invalid. |
| 3.1 | 9.6.4 | 10 | Sept 2005 | Updated income eligibility limits |
| 3.2 | 9.6.49.6.159.7.7 | 10All1520All | March 2007 | Updated income eligibility limits.Updated address details for Head Office business units.Included Maintenance Call Centre in managing maintenance of Movable Units.Included web links to OOH policy and procedure manuals. |
| 3.3 | 9.6.4 | 16 | Sept 2007 | Updated income eligibility limits. Income eligibility limits are now the same for all payment types. |
| 3.4 | 9.6.4 | 16 | March 2008 | Updated income eligibility limits. |
| 3.5 | 9.6.4 | 16 | Sept 2008 | Updated income eligibility limits. |
| 4.0 | 9.6.12 | All2025-26 | October 2008 | Updated the entire chapter to include consideration for the Charter of Human Rights Legislation.Updated arrears action policy.Updated arrears action procedures. |
|  | 9.6.49.7.3 | 1625 | March 2009 | Updated income eligibility limits.Added information on fixed rent policy. |
| 5.0 | 9.6.4 | 16 | August 2010 | Updated in line with introduction of Movable Units in HiiP. |
|  |  |  | September 2010 | Updated income eligibility limits. |

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |
| Dec2012 |  | AllAll | * Updates as per new style guides
* Minor changes to wording through-out
 |

# Chapter 18 Vacated Tenants Accounts

The following table shows the development of this chapter.

| Version | Amend. / Section Number | Pages From | Effective | Details |
| --- | --- | --- | --- | --- |
| 1.0 |  |  | Jun 2001 | * First issue of this chapter
 |
| 2.0 |  |  | Jul 2005 | * Reissue of the chapter to comply with DHHS publishing guidelines. Font type converted to Verdana.
 |
| 2.1 |  | All | Dec 2006Mar 2007 | * Updated Rental Accounts Branch to Revenue and Accounts Receivable Section, Finance and Business Services Branch.
* Added hyperlinks to other OOH policy and procedure manuals.
 |
| 3.0 |  | All | Oct 2008  | * Updated for compliance with the Human Rights charter
 |
| 4.0 |  | All | Aug 2011 | * Chapter reviewed for compliance with the Victorian Charter of Human Rights and Responsibilities
 |

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |
| October 2012 |  | All | * Updates to Tenancy Manual as per new style guides
* New numbering to Chapters
 |

# Chapter 19 Bankruptcy

The following table shows the development of this chapter.

| Version | Amend. / Section Number | Pages From | Effective | Details |
| --- | --- | --- | --- | --- |
| 1.0 |  |  | Apr 2005 | * First Issue of the chapter.
 |
| 1.1 | 1 | 3 | Jul 2005 | * Definition of ‘resident’ clarified to include requirement that residents must be included in the rental rebate application and their income and assets assessed in the rental rebate calculation.
 |
| 1.2 | 2 | 6All | Mar 2007 | * Definition of tenant clarified to show distinction between tenant who has a tenancy agreement with the Director of Housing and a tenant in community managed housing.
* Definition of tenant in community managed housing added.
* Added Hyperlinks to other OOH policy and procedure manuals.
 |
| 2.0 |  | All | Oct 2008 | * Updated the entire chapter to include consideration for the Charter of Human Rights Legislation.
 |
| 2.1 | 1 | 15, 21 | May 2010 | * Updated reference to ITSA Proof of Debt form, inserted hyperlink, removed outdated form from Appendix.
 |

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |
| July 2012 |  | All | * Updates to Tenancy Manual as per new style guides
* New numbering to Chapters
 |

# Chapter 20 Account Reconciliation

The following table shows the development of this chapter.

| Version | Amend. / Section Number | Pages From | Effective | Details |
| --- | --- | --- | --- | --- |
| 1.0 |  |  | Jun 2001 | * First issue of this chapter
 |
| 2.0 |  |  | Jul 2005 | * Reissue of the chapter to comply with DHHS publishing guidelines. Font type converted to Verdana.
 |
| 2.1 |  | 4All | Mar 2007 | * Definition of tenant clarified to show distinction between tenant who has a tenancy agreement with the Director of Housing and a tenant in community managed housing.
* Definition of tenant in community managed housing added.
* Added hyperlinks to other Departmental policy manuals.
 |
| 3.0 |  | All | Oct 2008  | * Updated the entire chapter to include consideration for the charter of Human Rights Legislation.
 |

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |
| July 2012 |  | All | * Updates to Tenancy Manual as per new style guides
* New numbering to Chapters
 |

# Chapter 21 Home Visit Guidelines

The following table shows the development of this chapter.

| Version | Amend. / Section Number | Pages From | Effective | Details |
| --- | --- | --- | --- | --- |
| 1.0 |  |  | July 2003 | First issue of this chapter. |
| 1.1 | 21.1.3 | Through-out21-14 | March 2007 | Chapter renumbered Chapter 21.Changed Team Leader to Team Manager.Changed PHAP provider to SHASP provider. |
| 2.0 |  | All | October 2008 | Updated the entire chapter to include consideration for the Charter of Human Rights Legislation. |
| 2.1 |  |  |  | Updated appendix 21.1.2 to new DHHS letterhead |
| 2.2 |  | 21-7 | November 2010 | Added step to make a visual check of the condition of the property and neighbouring properties when visiting. |

# New Revision History Format

| Date | Chapter | Section | Details |
| --- | --- | --- | --- |
| July 2012 |  |  | * New Chapter (formerly Appendix)
* Updates to Tenancy Manual as per new style guides
* New numbering to Chapters
 |